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CIA KNEW A YEAR AGO THAT EX-AGENT TOYED WITH SPYING FOR SOVIETS

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WASHINGTON

The CIA knew a year ago that one of its ex-agents, Edward L. Howard, had toyed with delivering U.S. secrets to the Soviets but did not tell the FBI until this year, three federal officials said Friday.

Meantime, sources said Howard, the 33-year-old ex-agent charged with spying for the Soviet Union after he left CIA, is believed to have fled from his New Mexico home through Texas to Europe.

The sources and officials spoke only on condition they not be identified by name.

In an affidavit filed in federal court in New Mexico, the FBI said last week that Howard, who was fired by the CIA in June 1983, told two current CIA employees on Sept. 24, 1984 that in October 1983 he had traveled to Washington and spent several hours near the Soviet embassy trying to decide whether to enter the embassy and disclose classified information, but that he had decided against doing so.

Two federal officials said the pair of current CIA employees were acquaintances of Howard's from his days inside the spy agency. The two friends of Howard's reported his remarks to the CIA's Office of Security at the time, but the CIA did not advise the FBI until a year later, after a Soviet defector provided information which opened an investigation of Howard, these officials said.

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Asked why the delay occurred, CIA spokeswoman Kathy Pherson said: "There are procedures to handle security problems. They were followed in this case, and they were reasonable."

But she declined to say exactly what was done in the specific case.

"The agency believes that it complies fully with the requirements under executive order No. 12333 to report allegations of illegalities to the Justice Department," Pherson said. But she noted that in implementing this order, the CIA and Justice have developed "thresholds" below which information is considered so petty or so insubstantial that reporting it to Justice would simply overburden investigators.

One federal law enforcement official said that if the contact had been reported a year ago as it was described in the FBI affidavit, there were things the bureau could have done.

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This source said the FBI's photographic surveillance of the Soviet embassy could have been reviewed to see whether in fact Howard was there and did not go in, and agents could be alerted to watch for his return. Also, the source said, electronic surveillance records could have been checked for any mention of his name and an alert posted should it be mentioned in the future.

It could not be learned whether any evidence against Howard had been derived by taking such steps belatedly.

This source, however, said the information was probably not sufficient to justify a formal investigation including physical surveillance of Howard.

One source said Justice officials considered the one-year reporting delay "just another in a series of missteps in this case," including the limited orders to FBI agents in New Mexico which allowed Howard to flee on the night of Sept. 21, less than 48 hours after FBI agents had directly confronted him with the spying allegations.

The FBI has charged that on Sept. 20, 1984 he met in St. Anton, Austria with Soviet KGB agents and sold them U.S. intelligence secrets for cash.

The FBI has told New Mexico officials that Howard flew from Albuquerque, 60 miles from his home, on Sunday Sept. 22 to Dallas, then Austin, Texas. Sources say that from there he traveled to Europe, but would not amplify on that.

The Reagan administration, meanwhile, confirmed for the first time Friday night the defection of Vitaly Yurchenko, a senior Soviet KGB official who, according to widespread reports, tipped U.S. authorities to Howard's role as a Soviet agent.

In a brief statement, the State Department said Yurchenko had asked that his presence in the United States not be publicized. He reportedly defected in Rome this past summer.

The statement said Yurchenko served as deputy chief in the North American department of the KGB's foreign intelligence unit and was specifically responsible for the direction of KGB intelligence operations in the United States and Canada.

It also confirmed that Yurchenko had worked for KGB counter-intelligence and had served from 1975 to 1980 at the Soviet Embassy in Washington.